

CUSTOMER NO. 46850

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Attorney Docket No. Greywall 33

In re application of: Dennis S. Greywall

Serial No.: 10/796,618
Filed: 03/09/2004
Matter No.: 990.0507

Group Art Unit: 2873
Examiner: Stultz, Jessica
Phone No.: 571-272-2339

For: MEMS Device for an Adaptive Optics Mirror

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The Notice of Allowability mailed on 04/14/2006 contains an Examiner's Statement of Reasons for Allowance. The Statement contains language that attempts to characterize the claimed subject matter. The Applicant submits, however, that the language in the Statement does not accurately characterize the claims. In particular, with respect to claim 8, the Statement refers to:

a MEMS device as disclosed including a rotatable mass held above a substrate by upright springs at a first offset distance, specifically the device includes the rotatable mass being part of a motion actuator that in combination with the upright spring enables rotation of the rotatable mass about a rotation axis offset from the substrate by a distance greater than the first offset distance.

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Certification Under 37 CFR 1.8

Date of Deposit 05/03/2006

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail under 37 CFR 1.8 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Amy Laudenslager
(Name of person mailing)


(Signature of person mailing)

The Applicant submits that this language differs from the language that appears in claim 8. Further, with respect to claim 32, the Statement refers to:


a MEMS device as disclosed including a rotatable mass held above a substrate by upright springs, specifically wherein the rotatable mass comprises an outer sub-structure adapted to move with respect to the substrate and an inner sub-structure adapted to move with respect to the outer sub-structure.

The Applicant submits that this language differs from the language that appears in claim 32.

To the extent that the Statement differs from the language of any of the independent claims, the Applicant rejects any narrowing or limitations that might possibly result from such differences. For each of these reasons individually and for all these reasons collectively, the Applicant objects to the Statement.

Respectfully submitted,

Date: 05/03/06
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